

REMARKS

The Examiner is thanked for the careful review of the application as set forth in the outstanding office action. Reconsideration of the application in view of the foregoing amendments and the following discussion is respectfully requested.

Allowable Subject Matter

Claims 5-8, 14-16, 19, 20, 22, 27 and 30-33 have been allowed.

Claims Rejections - 35 USC 102

Claims 9 and 21 stand rejected as being anticipated by Garcia et al. ("Garcia"), U.S. 6,042,216. This rejection is respectfully traversed on the ground that a prima facie case of anticipation has not been established, and the reference does not describe each element of Claims 9 and 21.

The rejection does not address all features of the rejected claims, and thus fails to establish a prima facie case of anticipation. Moreover, applicants respectfully disagree with the Examiner's recitation of the teachings of Garcia.

1. The Examiner reads wiper 234 or capper 236 as corresponding to a first service module.

2. The Examiner asserts that Garcia discloses "identifying a printhead-related service condition (Abstract, lines 3-6) not adequately addressed by servicing the printer with the first service module being in an un-worn condition (complete servicing includes other service module such as a capper, a spittoon and a primer connection. Abstract, lines 6-8)."

3. The Examiner further asserts that Garcia discloses "providing a second service module (capper 236 or wiper 234) with a service function different from the first service module (Fig. 14a) and adapted to address said printhead-related service condition, the second service module removably installable on the printer and with respect to the first service module (Fig. 23)." Applicants respectfully disagree with this interpretation of Garcia. FIG. 23 is an exploded isometric view

of the service station module of FIGS. 14A-14B; there is no teaching or description that a wiper 234 is removably installable with respect to a capper 236. Just because the elements of the service module of FIGS. 14A-14B are shown in an exploded view to show details of the service module does not support the Examiner's assertion that elements 234 or 236 are intended to be removably installable with respect to the service module or the other elements. The Examiner alleges that Garcia describes that "the capper (236) is removable with respect to the wiper (234) by removing a screw (see Fig. 14a)." Applicants respectfully deny that Garcia provides this teaching. The allegation amounts to speculation that Fig. 14a illustrates removing a screw to remove the capper. Yet there is no screw specifically illustrated, nor is there any written description supporting the speculation. Instead, Garcia describes that the service module 230 shown in FIG. 14a is "removed and replaced at the same time that the associated printhead is removed" (8:61 to 9:7). No description appears to support the Examiner's speculation that the capper is intended to be replaced separately with respect to the wiper.

4. The Examiner further asserts Garcia discloses "providing the second service module to the printer user (234, 236 is available for use, Fig. 23), wherein the step of providing a set of instructions includes providing a set of human-readable instructions for using the second service module (column 6, line 61 - column 7, line 7, column 8 line 7-18) provide human-readable instructions on how to use the second service module 234, 236)." These assertions do not meet the claim limitations. There is no showing that the alleged instructions are provided to the printer user, i.e. that the Garcia document is provided to the printer user. The Examiner provides a discussion of the disclosure of an invention in a US Patent (including Garcia), as being intended for one of ordinary skill in the art to make use of the invention, as well as requirements of Section 112, but does not address how the Garcia reference teaches that the Garcia patent is provided to the printer user. Nor is there any showing as to how the requirements of Section 112, pertaining to the claimed invention of Garcia, are relevant here. Moreover, there is no description of how the user can or should use a "module"

234 or 236 as the Examiner interprets Garcia. The discussion in Garcia is of replacement of the service module 230, not of 234 or 236 with respect to 236 or 234.

Applicants respectfully submit that Garcia does not describe the following limitations of Claims 9 and 21:

- identifying a printhead-related service condition not adequately addressed by servicing the printer with the first service module being in an un-worn condition

- providing a second service module with a service function different from the first service module and adapted to address said printhead-related service condition, the second service module removably installable on the printer and with respect to the first service module

- providing a set of instructions for using the second service module with the inkjet printer to the printer user, wherein the step of providing a set of instructions includes providing a set of human-readable instructions for using the second service module

(Claim 9)

- identifying a printhead-related service condition not adequately addressed by servicing the printer with the first service module being in an un-worn condition

- providing a second service module with a service function different from the first service module and adapted to address said printhead-related service condition, the second service module removably installable on the printer and with respect to the first service module

- providing a set of instructions for using the second service module with the inkjet printer to the printer user, wherein the step of providing a set of instructions includes providing a set of human-readable instructions for using the second service module

(Claim 21)

The rejection under Section 102 should be withdrawn.

Claims Rejections - 35 USC 103

Claims 12 and 25 stand rejected as being unpatentable over Garcia in view of Wojcik (U.S. 6,250,736). This rejection is respectfully traversed on the grounds that a prima facie case of obviousness has not been established, and the references do not teach or suggest the invention of these claims.

Claim 12 is drawn to a method for servicing an inkjet printer including an inkjet printhead with a nozzle plate and a first service module removably installed on the printer, comprising:

identifying a printhead-related service condition not adequately addressed by servicing the printer with the first service module being in an un-worn condition;

providing a second service module with a service function different from the first service module and adapted to address said printhead-related service condition, the second service module removably installable on the printer and with respect to the first service module, wherein said printhead-related service condition includes ink accumulation on the nozzle plate, and wherein the second service module includes a wiper fabricated of silicon, or a textile, or a special rubber for removing the ink accumulation.

Garcia has been addressed above, and does not address the problem of a printhead-related service condition not adequately addressed by servicing the first service module being in an un-worn condition. Garcia teaches replacing the service with a fresh service module at the same time that the associated printhead is removed. 8:61 to 9:4. Moreover, there is no teaching of providing a second service module with a service function different from the first service module that is removably installable on the printer and with respect to the first service module.

Wojcik is cited only for its disclosure of a wiper of silicon or rubber, and does not supply any missing teachings discussed above regarding Garcia.

The references fail to teach or suggest all claim limitations of Claim 12. The rejection should be withdrawn.

Similar considerations apply to Claim 25, drawn to a method for servicing an inkjet printer including an inkjet printhead and a removable first service module, comprising:

- providing a second service module different from the first service module and adapted to address a printhead-related service condition not adequately addressed by the first service module being in an un-worn condition, the second service module removably installable on the printer and with respect to the first service module;

- installing the second service module in the printer;

- conducting a printhead-related service operation using the second service module;

- wherein said printhead-related service condition includes ink accumulation on a printhead nozzle plate, and wherein the second service module includes a wiper fabricated of silicon, or a textile, or a special rubber for removing the ink accumulation.

Because the applied references do not teach or suggest all claim limitations, the rejection of Claim 25 should be withdrawn.

New Claims

New Claims 34-46 have been added. These claims are in condition for allowance.

Claims 34-37 are drawn to subject matter of previously canceled Claims 1-4.

Claims 38-39 are drawn to subject matter of previously canceled Claims 10-11.

Claim 40-41 are drawn to subject matter of previously canceled Claims 17-18.

Claims 42-43 are drawn to subject matter of previously canceled Claims 23-24.

Claim 44 is drawn to subject matter of previously canceled Claim 26.

Claims 45-46 are drawn to subject matter of previously canceled Claims 28-29.

The canceled claims were previously canceled without prejudice in an effort to place the case in condition for allowance based on the status of the office action of March 31, 2003.

Claims 34-44 are allowable because the references do not teach or suggest, for example,

providing a second service module with a service function different from the first service module and adapted to address said printhead-related service condition, the second service module removably installable on the printer and with respect to the first service module (Claim 34)

providing a set of instructions for using the second service module with the inkjet printer to the printer user (Claim 37)

providing a second service module different from the first service module and adapted to address a printhead-related service condition not adequately addressed by the first service module being in an un-worn condition, the second service module removably installable on the printer and with respect to the first service module (Claim 40)

Claim 45 is drawn to subject matter of Claim 28 which was indicated as allowable in the office action of March 31, 2003, and so Claim 45 is allowable. Claim 46 depends from allowable Claim 45.

CONCLUSION

All outstanding rejections have been addressed, and the application is in condition for allowance. Such favorable reconsideration is solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Larry K. Roberts". The signature is fluid and cursive, with the first name "Larry" and last name "Roberts" clearly distinguishable.

Larry K. Roberts
Registration No. 28,464

Dated: 6/11/2004

Law Offices of Larry K. Roberts, Inc.
P.O. Box 8569
Newport Beach, CA 92658-8569
Telephone (949) 640-6200
Facsimile (949) 640-1206